

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BERNARD SHERO, et al.,
Plaintiffs,

v.

**DANIEL PATRICK
GALLAGHER, et al.,**
Defendants.

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CIVIL ACTION NO. 24-CV-6073

ORDER

AND NOW, this 15th day of January, 2025, upon consideration of Plaintiff Bernard Shero's Motion to Proceed *In Forma Pauperis* (ECF No. 1), *pro se* Complaint (ECF No. 2), and Motion to Appoint Counsel (ECF No. 3), it is **ORDERED** that:

1. Leave to proceed *in forma pauperis* is **GRANTED** pursuant to 28 U.S.C. § 1915.

2. The Complaint is **DEEMED** filed.

3. The Complaint is **DISMISSED** for the reasons in the Court's Memorandum, as follows:

a. Shero's federal claims under 42 U.S.C. § 1983 and state-law claim for intentional infliction of emotional distress are **DISMISSED WITH PREJUDICE**;

b. Shero's claim for loss of consortium is **DISMISSED WITHOUT PREJUDICE**.

4. Leave to amend will not be granted, as the Court concludes that amendment would be futile.

5. The Motion to Appoint Counsel is **DENIED**.

6. The Clerk of Court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Mi D", is positioned above a horizontal line.

MIA R. PEREZ, J.